REMARKS

In response to the above-identified Office Action, Applicants amend the application and seek reconsideration thereof. In this response, Applicants amend Claim 2. Applicants do not add any new claims or cancel any claims. Accordingly, Claims 1-7 are pending.

I. Claim Objection

Applicants have amended Claim 2 to supply an antecedent basis for the term identified by the Examiner. Withdrawal of the objection is respectfully requested.

II. Claims Rejected Under 35 U.S.C. § 102

Claims 1, 3, and 5-6 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Publication No. 2004/0190725 by Craven ("Craven"). Applicants respectfully traverse the rejection.

To anticipate a claim, the Examiner must show that a single reference teaches each of the elements of that claim. Among other elements, Claim 1 recites "means for calculating a group_delay variation information of the device by using the signal from the device." Applicants respectfully submit that Craven at least does not teach this element.

Applicants submit that the concept of group_delay is totally absent from the disclosure of Craven. There is not a single reference in Craven that mentions or is related to group_delay. The Examiner relies on the computer 50 of Craven for teaching the means for calculating a group_delay variation information. However, the computer taught by Craven merely serves to allow a user to set up, program, and control an analyzer (col. 4, paragraph 47). There is no suggestion, much less teaching, of the calculation of the group_delay variation information as claimed. Thus, Craven does not teach each of the elements of Claim 1.

Analogous discussion applies to the method of Claim 6. Accordingly, reconsideration and withdrawal of the anticipation rejection of Claims 1 and 6 are requested.

Claims 2, 3, and 5 depend from Claim 1 and incorporate the limitations thereof. Thus, for at least the reasons mentioned above in regard to Claim 1, Craven does not teach each of the elements of these dependent claims. Accordingly, reconsideration and withdrawal of the anticipation rejection of Claims 2, 3, and 5 are requested.

III. Claims Rejected Under 35 U.S.C. § 103(a)

Claims 4 and 7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Craven. Applicants respectfully traverse the rejection.

To establish a *prima facie* case of obviousness, the Examiner must show the cited references, combined, teach or suggest each of the elements of a claim. Claims 4 and 7 respectively depend from base Claims 1 and 6 and incorporate the limitations thereof. Thus, at least for the reasons mentioned above in regard to Claims 1 and 6, Craven does not teach or suggest each of the elements of these dependent claims.

Moreover, Claim 4 recites the additional element of computing an average and the standard deviation between the reference group_delay variation information and the group_delay variation information. The Examiner asserts that standard deviation may be incorporated into Craven's teaching. Assuming for the sake of argument that the standard deviation is incorporated into Craven's system, a skilled artisan would not be motivated to compute the standard deviation between the reference group_delay variation information and the group_delay variation information as the concept of group-delay is totally lacking in Craven's disclosure. Craven only discloses computing the statistics of the radiated electric field (paragraph 0052). Incorporating the standard deviation into Craven's system would produce the standard deviation of the radiated electric field as there is nothing in Craven that teaches or suggests the group_delay as claimed. Thus, Claim 4 is nonobvious over Craven for this additional reason.

Analogous discussion applies to the method of Claim 7. Accordingly, reconsideration and withdrawal of the obviousness rejection of Claims 4 and 7 are requested.

CONCLUSION

In view of the foregoing, it is believed that all claims now are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207 3800.

Respectfully submitted,

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Dated: 8/4, 2005

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CERTIFICATE OF MAILING:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 4, 2005.

Tani Teverbaugh August 4, 2005